

REMARKS

The Office Action of 21 September 2005 has required restriction between the Claims of Group I (Claims 1-20) drawn to a method of producing a nonwoven fabric and the Claims of Group II (Claims 21-57) drawn to a nonwoven fabric.

Applicant elects Group I, Claims 1-20, with traverse. Applicant respectfully urges that the Office Action is in error and has not properly set forth evidence of distinctiveness nor offered reasons and analysis conforming to the proper requirements of MPEP §806.05.

Particularly, the Detailed Action has sought to establish that Groups I and II are distinct because the claimed material can be made by a different process, to wit: "In the instant case the nonwoven fabric can be made by allowing the fibers to crimp in all directions." The basis of this reasoning is factually incorrect because there are no restrictions within the method claims concerning the restriction of fiber crimp in any direction, but only limitations concerning the controlling or minimizing of the forces which tend to impede crimping of the fibers in the Z-direction.

Further, the Claims 42-57 as originally filed are product by process claims incorporating the limitations of the Claims of Group I.

However, Applicants have further amended the independent Claims 21, 40 and 41 so as to make all previous Group II claims incorporate the limitations of the Claims of Group I so that both said Groups must necessarily be examined.

Applicants have further amended the Claims 22-29 so as place them in a Markush group-like format believed to be more acceptable to the Examiner.

Request For Telephonic Interview

Applicant intends to be fully responsive to the Office Action. The Examiner is requested to call Applicants' attorney (per the provisions of M.P.E.P. §713) to discuss any concerns of the Office or to suggest solutions in defining the present invention in order to expedite the case towards allowance.

Favorable consideration is requested.

Respectfully submitted,



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